

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

First named inventor : Kleinitz et al.
App. No. : 09/869,408
Filed : October 1, 2001
Title : A SYSTEM AND
METHOD FOR
INTELLIGENT
NETWORK SERVICES
Examiner : Thjuan Knowlin Addy

Group Art Unit: 2614

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

PETITION FOR REVIVAL ABANDONED APPLICATION UNDER 37 CFR 1.137(b)

The above-identified application became unintentionally abandoned for failure to file a timely and proper response to the Office Action mailed on August 17, 2006, which set a three month period for response. The abandonment date of this application is February 18, 2007 (i.e., the day after the expiration of the date of the period set for response, plus any extensions of time obtained therefore). Applicant hereby petitions to reinstate the above-identified patent under 37 C.F.R. 1.137(b). Please note that a response to the August 17, 2006 Office Action is filed concurrently herewith. Applicant submits that a Terminal Disclaimer is unnecessary as this application was filed after June 8, 1995.

With regard to the events relating to the unintentional abandonment, Applicant respectfully submits the following:

Search Ref: 0030043927
09/21/2007
Credit Card Refund Total: \$1020.00

1. **Response**

The response to the above-noted Office Action in the form of an Amendment in 6 pages is enclosed herewith.

2. **Statement**

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 C.F.R. § 1.137(b) was unintentional.

3. **Extension**

Petitioner hereby requests a three-month extension of time under 37 C.F.R. § 1.136(a) extending the period for response to the Office Action mailed August 17, 2006 from November 17, 2006 to February 17, 2007.

4. **Fees**

- a. The three-month extension fee of \$1,020.
- b. Petition fee as set forth in 37 C.F.R. § 1.17(m) of \$1,500.
- (X) Fees will be paid via EFS Web.

With regard to the events relating to the unintentional abandonment, Applicant respectfully submits the following:

The Office Action dated August 17, 2006 was mailed to Flehr Hohback Test in San Francisco. However, Flehr Hohback no longer represents the Applicant and did not forward the Action to Applicant's new attorneys. Applicant's representatives did not receive the Office Action until after receiving the Notice of Abandonment dated April 10, 2007.

- (X) Please charge any additional fees or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 6/11/07

By: 

John M. Carson
Registration No. 34,303
Attorney of Record
Customer No. 20,995
(619) 235-8550

**UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231**

REQUEST FOR PATENT FEE REFUND											
1 Date of Request: <u>08/21/07</u>		2 Serial/Patent # <u>09/869,408</u>									
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT							
	Filing			\$							
	Amendment			\$							
X	Extension of Time	IFW	06/11/07	\$ 1,020.00							
	Notice of Appeal/Appeal			\$							
	Petition			\$							
	Issue			\$							
	Cert of Correction/Terminal Disc.			\$							
	Maintenance			\$							
	Assignment			\$							
	Other			\$							
		7 TOTAL AMOUNT OF REFUND		\$ 1,020.00							
		8 TO BE REFUNDED BY:									
10 REASON:		Treasury Check									
	Overpayment	X Credit Deposit A/C #:									
	Duplicate Payment	9 <table border="1" style="display: inline-table; text-align: center; width: 150px;"> <tr> <td>1</td><td>1</td><td>--</td><td>1</td><td>4</td><td>1</td><td>0</td> </tr> </table>			1	1	--	1	4	1	0
1	1	--	1	4	1	0					
X	No Fee Due (Explanation): <i>Credit Card</i>										
No extension of time is obtainable after abandonment.											
11 REFUND REQUESTED BY:											
TYPED/PRINTED NAME: <u>Nancy Johnson</u>		TITLE: <u>Sr. Petitions Attorney</u>									
SIGNATURE: <i>Nancy Johnson</i>		PHONE: <u>571-272-3219</u>									
OFFICE: <u>Office of Petitions</u>											
***** THIS SPACE RESERVED FOR FINANCE USE ONLY: *****											
APPROVED: <i>[Signature]</i>		DATE: <u>8/21/07</u>									

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to: